COMMONWEALTH OF MASSACHUSETTS
EXECUTIVE OFFICE OF ENVIRONMENTAL AFFAIRS
DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

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Peter C. Webber
COMMISSIONER

*****MEETING NOTICE*****

**THE DEPARTMENT OF ENVIRONMENTAL MANAGEMENT**
**BOARD MEETING**
**Dunn Pond State Park**
**Gardner, MA**
**January 25, 2000**
**11:00am - 3:00pm**

# MEETING CANCELLED
# INCLEMENT WEATHER

AGENDA

ITEM 1: Adoption of December Meeting Minutes (5min)
ITEM 2: Wachusett (20min)
ITEM 3: Public Comment (15min)
ITEM 4: Greylock Center (15min)
- Forecast of 2000 activities
- Summary of projected budget for FY00 and FY01

ITEM 5: Mt. Everett Update (15min)
- Weather Station Project
  - Timeline/schedule of various ongoing studies
  - discussion of ultimate intentions

ITEM 6: Forests & Parks Report: Todd Frederick (15min)
ITEM 7: Commissioner's Report: Peter Webber (30min)
- Hoosac Lake Update

ITEM 8: Waquoit Bay National Estuarine Research Reserve Management Plan Discussion: Jack Lash (30min)
ITEM 9: Board Concerns (15min)
ITEM 10: Date, location and agenda items for the February meeting (5min)

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# BOARD OF ENVIRONMENTAL MANAGEMENT
## December 19, 2000
**Rackemann, Sawyer, & Brewster**
**Boston, MA**

***MEETING MINUTES***

A meeting of the Board of Environmental Management was held on Tuesday, December 19, 2000 at the Offices of Rackemann, Sawyer, & Brewster in Boston, MA.
Those in attendance were Chairman Michael Last, Brendan O'Neill, Tad Ames and Ron Smith. Absent were Patricia Karl, Elisa Campbell and Deborah Cary. Present from DEM were Commissioner Peter Webber, Director of Forests and Parks Todd Frederick, Chief of Legal Services Mary Griffin and Land Use Specialist David McGowan. Others present included Mark Bettencourt and Jeff Crowley. The meeting was called to order at 11:00AM by Chairman Michael Last.

***APPROVAL OF MINUTES***
Tad Ames moved to approve the September Meeting Minutes. Ron Smith seconded.
**By unanimous vote of all members present, the Board voted to approve the November 2000 Meeting Minutes.**
All in favor. None opposed.

***FOREST & PARKS REPORT***
Director Todd Frederick reported that three positions have been posted to fill vacancies for Region 2 Director, Region 5 Director and Chief of Interpretive Services. •Todd informed the Board that he is hopeful that the new fee structure will be in place by Memorial Day. •Todd stated that a meeting is scheduled to take place in Louisiana on January 22 with several State Park Directors and staff to discuss campground reservation systems. •According to Todd, more than 200 people attended the public hearing on the Myles Standish SF Trails Management Plan and testimony was about 50/50. Todd added that the public comment period is still open. Todd clarified that approval of the plan does not mean that the trails will open: several steps need to take place prior to any reintroduction of ORV use at MSSF. Commissioner Webber added that it may be premature to formally put this issue through the MEPA process now as the management plan is still in draft form. Tad asked if the outcome of the completed management plan and a possible MEPA review suggests that riding could be accommodated at MSSF, would the issue come back before the Board for final approval. Peter responded that indirectly the question may come back to the Board, perhaps as part of zoning within a GOALS plan. Michael expressed concern for the lack of adequate staff to monitor the use of trails at MSSF and other facilities. Todd replied that while it is spelled out in the MSSF plan that the trails must be monitored, at other facilities staff do the best they can. Michael suggested a special user fee for ORV use of trails. Todd stated that a user fee may not bring in enough funds to support the program. Michael commented that the Board as well as DEM may want to revisit the issue of ORV use at all Forests & Parks facilities. Peter agreed that it may be helpful to take a look at revenue possibilities and the lack of rangers available to enforce natural resource protection laws.

***COMMISSIONER'S REPORT***
Commissioner Webber reported that he just came from a Strategic Planning Workshop being held for Administrative Services. •Peter informed the Board of the Budget Hearing being held today. Peter briefly explained the new line item budget structure. According to Peter, DEM is looking into corporate sponsorships that could provide additional revenue. Todd explained how advertisements on F&P camping and trail maps as well as specifying a particular beverage vendor on new concession permits are being considered. Michael added that companies may be willing to support the educational opportunities available at DEM facilities. Michael suggested that The Philanthropic Initiative, Inc., a Boston group headed up by Peter Karoff to advise private foundations on giving, may be a source for donations.

***LAND ACQUISITIONS UPDATE***
Mary Griffin and David McGowan updated the Board on the Land Acquisition Program. Mary reported that EOEA has requested that most land closings be completed by December 31. According to Mary, the FY2000 Land Acquisition and Protection Report is almost ready to go to the printer. Mary added that the report as well as other land acquisition information will soon be available online. Mary stated that the posting has closed and interviews have been scheduled for filling the position of Director of Land Acquisition and Protection. Mary reported that DEM has a short-term need for additional land funding. According to Mary, DEM will meet with the Hadley Board of Selectmen tomorrow to request taking authority for a friendly taking of a 100-acre parcel located in Hadley. Mary continued that funding for this acquisition is being provided by Ms. Jean Beard of Amherst. Mary presented a map and discussed the phases of acquisition that are taking place as part of the package deal for the Southeastern Massachusetts Bioreserve. Mary noted that a Resource Management and Protection Plan for the 14,000 acres of protected space is being started in January with the various agencies involved as well as the public. Mary updated the Board that in a few weeks, DEM will obtain a conservation restriction from Mass Audubon for the Dabney property, 84 acres located in Dartmouth, with $400,000 in federal funding from the National Oceanic and Atmospheric Administration (NOAA).
David presented a handout and updated the Board on pending transactions that DEM hopes to close on in the next three weeks including: the Dabney property in Dartmouth; the Chiacchia Trust property in Ashby, Townsend and Lunenburg; the Christianson property in Ashburnham; the Collins property in Holyoke; and the Peace property in Hadley. David added that DEM also hopes to continue with Mt. Wachusett acquisitions such as parcels west of the reservations and the Rauh property south of the reservation. According to David, DEM staff hope to close in the next couple of weeks on an extension of the Ashuwillticook Rail Trail for another mile going into the city of Adams. According to David, DEM is in the very early stages of attempting to purchase a 320-acre parcel and a 703-acre conservation restriction in the Florida/Clarksburg area connecting into the Green Mountains.
Michael asked if there are particular targets or eligible areas where the bioreserve concept may be pursued next. Mary responded that based on a meeting of the land buying agencies, the Secretary picked the North Quabbin area for the location of a future bioreserve with a forestry focus.

Brendan asked if the state's budget structure limits and/or dictates land acquisition tools available to DEM such as negotiations for an installment purchase contract with a balloon payment due in thirty years. Peter responded that installment payments are generally for distinct acquisitions of property.

***PUBLIC COMMENT***

Mark Bettencourt commented that he sees no problem with establishing a user fee for ORV trails; however, there needs to be enough manpower to collect it in the parking lot. According to Mark, a law was passed in 1970 stating that anyone riding an ORV on property other than their own must pay an off-road registration fee and the legislation said that the dollars would go back to the trails. Mark noted that a fund for these dollars has never been set up. Mark commented that trail riders have submitted a bill and urged everyone to work towards compromise on problem areas. Mark explained that the reason comments appeared to be 50/50 at the recent MSSF public hearing, as mentioned previously by Director Frederick, is because Epsilon controlled the comments, reading one supporting the reopening of trails at MSSF and then one against. Mark continued that there were not enough comment cards for everyone and also there wasn't enough time to read the ones that were filled out. Mark concluded that the Plymouth Conservation Commission was split 3-3 on re-opening the trails at MSSF.

Jeff Crowley commented that if the Alpine Park were in place today, it would go a long way towards saving water and energy because of the tremendous amounts of machine made snow needed. Jeff encouraged Board members to attend the grand opening of the base lodge on December 21. Jeff reiterated the need for the expansion. According to Jeff, Wachusett Mountain Associates (WMA) has been approached by Sprint to put a cell tower in the base area; however, due to the recent attention, WMA has declined. Jeff concluded that WMA just wrote a check for $103,000 to DEM for land acquisition and protection as part of the lease agreement.

***STRATEGIC PLANNING***

Board members agreed to dedicate the entire January Board meeting to Strategic Planning. Todd stated that it may be helpful to have the consultant put together a packet for the Board to prepare for the meeting. Peter added that the packet should include a current state of the agency and a brief executive summary of how resources are allocated. Michael requested a current DEM organization chart.

***BOARD CONCERNS***

Tad stated that he shares the concerns as mentioned in the circulated comments on the Greylock Center Land Disposition Agreement (LDA) regarding financial arrangements as well as how this project has evolved over the years. Tad raised three questions. Do other Board members share these concerns? Should the Board be doing anything? Is there any response from the Commissioner or DEM Counsel now or are they waiting until all comments are in? Ron responded that he is concerned, and based on e-mail conversations with fellow Board members, Deb and Elisa, he believes them to be equally concerned. Brendan agreed that he found the comments within the Foley and Hoag materials alarming and while filled with a lot of detail and substance, it raised a number of questions. Michael questioned if there are any legal contentions regarding the discussion and Mary replied that legal issues are being reviewed by an outside legal counsel and formal response from DEM will be held until public comment period ends. Brendan stressed the importance for the Board to clearly articulate its role as this project goes forward. Michael agreed that it would be useful to discuss the factual aspects as well as review the original concept of the project. Peter commented that he did not come prepared to discuss the factual issues of Greylock today and he would prefer to deal with this issue as an agenda item for a future meeting. Peter acknowledged that DEM has spent a great deal of time and effort on the project. Michael expressed concern for the timing of the Board's input and asked if February would be timely enough. Peter responded that he may be ready to make decisions and take actions prior to a February Board meeting. Michael commented that if the Commissioner is ready to make a decision before the February meeting, then Greylock will be a January agenda item. Michael suggested that it would be useful for DEM staff to provide some background information to when the initial Master Plan and the RFP were issued, such as where the project has been, its objectives, the goals set out in 1996 and how the project has evolved to where it is today. Tad commented that neither Mass Audubon nor Berkshire Natural Resources Council are intent on having nothing done at Greylock Glen; however, there are many elements of this project that are overblown and also, not much is being leveraged by the private investor. Michael suggested that the Board's role may be to look at the policy implications and the legislation as well as the best interests of DEM.

Ron asked if a draw down is being done at Cheshire Lake for weed control and Peter responded that the herbicide treatment that the Lake Association and the town has administered and paid for has had, at least for the short term, the desired effect.

Tad asked the Commissioner if he would provide advance notice to Board members should he decide to sign the Greylock LDA prior to the Board having an opportunity to give their comments. Peter agreed that he will come back to the Board for discussion purposes before he signs the LDA.

Commissioner Webber presented Tad Ames with a Certificate of Appreciation on behalf of DEM staff and the citizens of the Commonwealth.

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Having concluded all business the meeting adjourned at 1:50PM. The next meeting of the Board of Environmental Management has been scheduled for February 27, 2001.

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**BOARD OF ENVIRONMENTAL MANAGEMENT**
**March 14, 2000**
**F&P Supervisor's Conference**
**North Falmouth, MA**

MEETING MINUTES

A meeting of the Board of Environmental Management was held on Tuesday, March 14 at the Forests and Parks Supervisor's Conference in North Falmouth, MA.
Those in attendance were Vice Chairperson Deborah Cary, Elisa Campbell, Patricia Karl and Brendan O'Neill. Absent were Tad Ames, Michael Last and Ron Smith. Present from DEM were Commissioner Peter Webber, Director of Forests and Parks Todd Frederick, Regional Director Don Stoddard, Wachusett Mountain SR Supervisor Dwayne Ericson, Assistant Regional Director Tom Lavoie and Director of Resource Protection Richard Thibedeau. Others present included Mark Bettencourt, Jeff Crowley, James McCaffrey and Jim Curley.

The meeting was called to order at 10:00AM by Vice Chair Deborah Cary.

APPROVAL OF MINUTES
Elisa Campbell moved to approve the February Meeting Minutes with amendments. Patricia Karl seconded. All in favor. None opposed.

**By unanimous vote of all members present, the board voted to adopt the February 2000 Meeting Minutes.**

Jeff Crowley commented that his comments under *Wachusett Mountain State Reservation*, page 2, should read, "...the Alpine Park, section B would provide a separate area for snowboarders and skiers."
Patricia Karl moved to accept the amendment to the February meeting Minutes. Elisa Campbell seconded. All in favor. None opposed.

**By unanimous vote of all members present, the board approved amendment to the February meeting Minutes.**

WACHUSETT MOUNTAIN STATE RESERVATION
Forests & Parks Director Todd Frederick handed out and discussed *Wachusett Mountain Improvements,* a tracking document that was requested by board members at the last DEM Board meeting. Wachusett Mountain SR Supervisor Dwayne Ericson handed out the *Wachusett Mountain SR Monthly Report to DEM Board, March 2000* and discussed how the report is broken down into 2 categories: State Reservation Activities and Ski Area Activities. Regional Director Don Stoddard said that he plans to have the monthly report distributed to board members two weeks prior to board meetings for their review prior to discussion. Don and Dwayne urged board members to suggest additional topics that they would like to see covered in future reports. Dwayne handed out a list of WMA's *Pulled Passes 1999-2000 Ski Season.* Dwayne explained that there are several distinctions used by WMA to pull passes; however, this listing only includes those pulled for being on closed trails or skiing on an unauthorized area of the reservation. According to Jeff, two educational videos are available that first time offenders are required to watch before their passes are returned: one on old growth and the other on safety. Dwayne added that snow-fencing areas has been very successful. Dwayne informed the board that a meeting is scheduled to take place with an environmental police officer to discuss stepping up enforcement. Commissioner Webber suggested that there may be an opportunity for Dwayne to get out into the schools prior to their visit and speak to members of the ski clubs. Jeff noted that WMA has found that school superintendents are reluctant to let someone from a commercial operation speak to the students but it may be allowable if it's tied to environmental education. Deb commented that instead of telling the student not to go off the trails, we should be telling them why Wachusett Mountain SR is different. Elisa added that education should be extended to other user groups too. Jeff stated that WMA would commit to working with DEM and board members to provide environmental education to the schools. Debbie recommended that comments from the Wachusett Mountain Advisory Committee be included in the monthly report such as the recommendation that the full time interpreter position be restored as soon as possible. Dwayne noted that since the report was typed an issue has come up regarding the removal of invasive goldfish from the summit pond that are threatening the spotted salamander population. Dwayne informed the board that representatives from DEM, WMA, F&W and Mass Audubon met with an environmental consulting firm to look at the sedimentation from the stream that comes out of the ski area into the pond. Dwayne added that the consulting firm is putting together a work plan to find where the sedimentation areas and the points of origins are located to determine if mitigation is necessary and, if so, what type. According to Dwayne, testing is scheduled to begin tomorrow and will take a month and a half. Looking at the "tracking" document passed out by Todd, Elisa asked what type of studies will be included in the "forest type review" and Todd responded that the analysis will consist of data previously collected as well as new data. Elisa suggested that the memo from Heidi Roddis has an excellent list of potential studies. Elisa stressed that a bird nesting survey can not be done by the

spring season, as the birds are not yet nesting. Elisa added that the board is interested in actual on-the-ground data to compare to previously done studies. Brendan and Debbie agreed that the board concerns of last summer included pulling together all of the studies done to date as well as new data in order to make the best judgement possible. Don asked if the reason the board is looking for an additional breeding bird survey is because what's been done is inadequate. Elisa responded that there is disagreement over whether the information contained in Joe Choiniere's breeding bird survey is accurate. Don replied that he will bring copies of the survey to the next board meeting. Todd stated that he will meet with each board member individually to discuss what information they are looking for. Jay McCaffrey commented that one of the conflicts of the MEPA review document is that it contains a huge body of components that don't represent the data found through Joe's study. Debbie requested an analysis of all data submitted to date. Elisa noted that it has never been said publicly that the information contained in Joe's study is accepted by DEM as being accurate. Jeff stated that WMA would be happy to review the data but calls to Mass Audubon have not been returned. Elisa commented that the board has received a lot of information from Mass Audubon and if there is other data, the board needs to see it. Patricia agreed that it is necessary for Todd to meet with the board and make sure that what is being compared is what the board is asking for. Patricia requested that soon after these meetings and prior to DEM staff beginning the work, Todd send out to the board a list of what all of the data gathering is expected to fulfill. Patricia suggested that the board be given a couple of days to respond. Peter summarized the board's request for comparative analysis on the entire reservation to include the area in question that may include additional breeding bird surveys. Brendan agreed that more specific analysis is needed to make the best judgement as to whether fragmentation of the area and the introduction of a new recreation will significantly impact conservation interests and resource protection on the mountain. Debbie added that it would be interesting to see how new land acquired through recent acquisitions will add to the reservation's quality and characteristic ecologically. Peter suggested that a big part of the issue is the interpretation of data. Todd noted that the posting is closed for the ecological position. Debbie asked for clarification of the "Lead Party" as listed on the tracking document and Todd agreed to list the names of those involved on future reports.

PUBLIC COMMENT

Jay McCaffrey commented that under DEM Board Issues on the *Wachusett Mountain Improvements* tracking document "3. Need for new trails" was not part of the board vote last summer and missing is the "request for alternatives" which was part of the board vote. Jay asked if there was going to be a needs analysis conducted that has not been previously conducted and Todd responded that in discussions with Chairman Tad Ames, the Chairman requested information as to why the trails are needed. Jay suggested that the value of the area as it relates to old growth restored and forests values of other forests and reservations be included as part of "2 Forest type review." Jay noted that WMA is the lead party on "1 Ski capacity review" and questioned if the board would request an audit for verification of the ski capacity analysis presented by WMA. Jay asked if the zoning definitions will be changed under "4. Lease area zoning definitions" and Todd responded that the Chairman requested further definition and they will not change. Jay concluded that as part of the interrogatory process for litigation, documents and answers to questions have been requested of which WMA is responding; however, he believes that the state is stonewalling. Jay said he hopes for a more cooperative effort from the state.

Jeff Crowley commented that in regards to ski capacity, this past February school vacation, WMA had five turn away days and the wait in the longest lines was between 12 and 14 minutes. Jeff added that the new high-speed quad lift that allowed for an increase in capacity to 3625 has enabled more families to enjoy the ski area. Jeff said that WMA will further review capacity and have the information available at the next board meeting. Jeff concluded that the interrogatory process works both ways and given that some of the documents requested date back to the 1970s, he disagreed with Jay's comments that the state is stonewalling.

Debbie wrapped up that the two issues that the board has been struggling with were brought up at the September meeting is: 1. outline the need for additional trails and explain why others won't work; and 2.safety of increased capacity. Debbie expressed concern for any miscommunication with Mass Audubon and noted that Don Stoddard, Tom Lavoie and Dwayne Ericson will meet with Joe Choiniere.

FORESTS & PARKS REPORT

• Director Frederick reported that there is a lot of energy and dialogue at this year's Supervisor's Conference, which includes staff from the Division of Resource Conservation as well as representatives from several other states. • Todd continued that DEM is finalizing the seasonal staffing plan and moving forward with developing the seasonal roster. • According to Todd, the posting has closed for both Directors of the Pioneer Valley and the Southeast Regions. Todd concluded that Steve Mollison is the Acting Director for the Pioneer Valley Region.

COMMISSIONER'S REPORT

• Commissioner Webber reported that he is trying to schedule a meeting with the Chairman of House Ways & Means Committee (HWM) or his budget director to discuss the supplemental budget. Peter informed the board that he and Todd met with Senator Brewer last week to discuss fire tower staffing. According to Peter, a meeting with fire wardens last week focussed on the issue of having enough funding to hire staff on April 1st but not before when there may a high wild fire danger. Peter continued that in regards to the capital budget, the Emergency Open Space Bond Bill is still in HWM and while there have been productive meetings with House, Senate and EOEA fiscal staff, it may not move as quickly as expected. Peter stated that there has been a great deal of help from Friends Groups on the capital bill and they are tuned in to the supplemental. Debbie asked if the board could request that information on the supplemental, capital and annual budgets be sent as an update to Friends Groups from the

board on board letterhead and Peter replied that he would provide the information to them. Peter said that the main points brought out at testimony were please don't break into quarterly allocations and please don't earmark. • Peter handed out and discussed the *Report to the Legislature on Citizen Advisory Councils* which looks at all advisory boards, councils, commissions and committees established by the department with appointments made by the Commissioner or the Director. Peter explained that the report that was requested by the legislature summarizes two basic recommendations: standards for future committees and transitions for existing committees. Peter noted that the report does include those advisory councils established by the legislature but does not include Friends Groups or this board which is appointed by the Governor. Elisa noted that members of the Mt Holyoke Range Advisory Committee are appointed by the towns and asked if other groups fall into this category. Peter responded that many committees do have town representatives that are nominated by the town but the appointment is ultimately made by the Commissioner or the Director of Forests & Parks. Elisa expressed concern for the setting of terms and staggering terms, especially for loyal, consistent, dependable supporters who are willing to give up their time. Elisa concluded that replacements may be hard to find. • Peter reported that the first phase of the Ashuwillticook River Rail Trail construction is going to bid in about a month and funding for repairs to the critical bridge on the Nashua River Rail Trail has been released and will go to bid.

BOARD CONCERNS

Patricia Karl requested a meeting with Todd and Elisa to discuss day-use rates. Todd agreed and added that he will share information on groundwork and analysis completed to date.

Patricia questioned if DEM is on track with preventing lifeguard shortages as experienced last year. Todd responded that aggressive recruitment is currently taking place to have lifeguards on board by scheduled dates.

Patricia stated that on behalf on the Friends of Lawrence HSP, she urges DEM management to look closely at policy, or lack there of, to allow positions to remain "acting" for possibly inappropriate lengths of time. Patricia commented that there may be a need for establishing policy to address this issue, as it is not fair to the employees or to DEM. Peter responded that Todd has been working to remedy the situation.

Elisa Campbell asked if DEM employees receive annual reviews and Peter replied that they do.

Debbie Cary asked if there is change in the Land Acquisition budget and Peter responded that there is an increase in the preliminary figure. Debbie commented that the figure is encouraging and questioned if it could reflect a better EOEA understanding of DEM's needs. Peter replied that a better understanding may be due to the information compiled and presented by DEM staff. Todd informed the board that Commissioner Webber is the only Commissioner to attend all of the Community Preservation Summits to date.

Debbie urged Commissioner Webber to work with local communities around Mt. Watatic to come up with a strategy to acquire the parcel. Debbie described the parcel as approximately 290 acres that remain unprotected with bordering state lands. According to Debbie, the parcel is currently owned by a communications company that has an interest in putting a cell tower on top of the mountain. Debbie added that local communities are opposed to the cell tower and are interested in preserving the land. Debbie concluded that Mt. Watatic is the highest mountain in eastern Massachusetts. Jay McCaffrey questioned if Mt. Watatic is a budget issue and Peter responded that an offer was made by DEM years ago based on DEM's appraisal but there was a wide gap between the offer and the asking price. Jay asked if there are multiple owners and Deb responded that there is not.

Debbie reiterated the board's request for a summary of expenditures from 1985 to the present on the Greylock project to determine what other accounts have been tapped and Todd replied that Marty Suuberg will have that information for the board at the next meeting.

PUBLIC COMMENT (continued)

Mark Bettencourt commented that members of the Boxford Advisory Committee are appointed by the towns and the added bureaucracy, as proposed in the Citizens Advisory Council Report, may not be an improvement. Mark added that some members of the group have served upwards of 13 years and to tell a dedicated member that they are no longer welcomed for their term is up may not be a good idea. Peter clarified that having terms does not necessarily mean term limits. Peter stated that having terms will provide the opportunity for periodic review and some members will appreciate the opportunity to conclude their service. Peter concluded that term limits are not being proposed and he is aware of the many valuable advisory committee members. Patricia commented that while DEM does not want to lose those valuable members of the advisory committees that have served for many years, it may be necessary to reach out to other constituencies, communities and individuals for a new perspective. Patricia suggested that DEM consider grandfathering in certain individuals as appropriate and/or establishing an emeritus position so as to honor their long-time service.

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Having concluded all business Elisa Campbell moved to adjourn the meeting at 12:30PM. Deb Cary seconded. The next meeting of the Board of Environmental Management has been scheduled for 11:00AM, Wednesday, April 26, 2000 at Purgatory Chasm State Reservation in Sutton, MA.

**BOARD OF ENVIRONMENTAL MANAGEMENT**
**April 26, 2000**
**Purgatory Chasm State Reservation**
**Sutton, MA**

MEETING MINUTES

A meeting of the Board of Environmental Management was held on Wednesday, April 26, 2000 at the Purgatory Chasm State Reservation in Sutton, MA.
Those in attendance were Chairman Tad Ames, Deborah Cary, Elisa Campbell, Michael Last, Ron Smith and Patricia Karl. Absent was Brendan O'Neill. Present from DEM were Commissioner Peter Webber, Chief of Legal Services Mary Griffin, Chief Fire Warden Mike Tirrell, Director of Resource Protection Richard Thibedeau, GOALS Program Director Jack Lash, Greylock Project Manager Stephen Brown, Wachusett Mountain SR Supervisor Dwayne Ericson, and Purgatory Chasm SR Supervisor Dave Poddles. Others present included Mark Bettencourt, James Leitch, Ed Driscoll, Joe Choiniere, Eleanor Tillinghast, Marilyn Lund, Sue Manero, Heidi Roddis, Jeff Crowley, Donna Brownell, Gordon Brownell, Tim McGuire and James McCaffrey.

The meeting was called to order at 11:00AM by Chairman Tad Ames.

APPROVAL OF MINUTES
Elisa Campbell moved to approve the March Meeting Minutes. Ron Smith seconded. All in favor. None opposed.
**By unanimous vote of all members present, the Board voted to adopt the March 2000 Meeting Minutes.**

GREYLOCK
Marty Suuberg handed out and discussed *Greylock Center Expenditure Information* as well as an April 3, 2000 press release *DEM Receives Environmental Certificate for Greylock Center Project* with the Certificate of the Secretary of Environmental Affairs on the Final Environmental Impact Report attached. Marty highlighted that expenditure information prior to 1993 is not stored electronically and thus retrieving it would be a very time intensive process. Tad commented that the $12 million DEM expense as reported in the Boston Globe is overstated and Deb asked if there is a way to clarify the information. Marty responded that an effort is being made to keep interested reporters informed. Marty reported that DEM is negotiating the master lease to be done concurrently with the Section 61 Findings. According to Marty, DEM has received a Notice of Intent to Sue under the MEPA statute, from two Adams residents. Tad asked if the developer will be free to sell housing lots to individual landowners. Marty explained that while all of the details have not been worked out, units may be sold to individuals with certain deed restrictions or the units may be sold to individuals but the property would remain common property such as with condominiums. Tad asked if there is any progress towards finding private investors to fill the $3 million dollar funding gap for Phase 1. Marty responded that there is effort towards bringing as much non-state dollars into the project as possible. Elisa asked when more information on the golf course construction will be available and Marty replied that by June the final design, the Section 61 Certificate and the lease will be completed to give a better picture of what is to be constructed as well as how it's to be constructed. Peter reiterated that he is very confident that this project will have an exemption from the Bond Cap and therefor will not be in competition with other DEM bond related projects nor with other EOEA projects. Deb asked if the Lieutenant Governor would come forward with a statement that the project is exempt from Bond Cap and Peter replied that it may be possible but not necessary. Tad asked if Peter's confidence was based on historical understanding of how past administrations have handled the project as opposed to any letter of commitment from Administration and Finance or the Governor's Office. Peter responded that the project

has been a continuing priority and a letter of commitment has never been deemed necessary. Tad suggested writing a letter from the Board to the Governor encouraging him, in the event that the project goes forward, to make sure that funds not be taken out of other EOEA accounts. Peter commented that a letter would not be inappropriate.
**Public Comment:** James Leitch recommended that Tad include in the letter the suggestion that projects that have waited longer than Greylock Center, that is, longer than 15 years, should have priority.
Debbie asked how DEM has been responding to the controversy surrounding the project and Peter said that the Department is going to carry forward and meet objections as they are raised while continuing to listen and improve to stay true to the overall goals and themes of the master plan. Deb asked if the advisory committee still meets and Peter responded that it does; however, at some point there may be a need to transform the committee to a monitoring stewardship body as called for in the EIR certified in the Secretary's Certificate.

WACHUSETT MOUNTAIN STATE RESERVATION
Richard Thibedeau reported that the top candidates for the ecologist position are to be interviewed this coming Thursday. Rich informed the Board that a notice will be posted in the Environmental Monitor on the State of the Mountain Report (SOMR) that was completed in January. Rich continued that removal of the goldfish from the summit continues to require more effort than anticipated. Supervisor Dwayne Ericson added that catching the fish for removal is the problem. Rich reported that with regards to the requirements of Section 61 Findings, DEM staff are continuing to work on one of the main items, the Forest Type Review and plan to have it completed in a month. Tad clarified that the Board's goal for the Forest Type Review was to have some sort of finding of fact, either using existing studies or new research, that would give the Board confidence that the construction of trails in the proposed Alpine Park area would not eliminate a certain type of ecological function of the reservation that isn't replicated elsewhere. According to Rich, Wachusett Mountain Associates (WMA) are preparing a number of documents required through the Section 61 Findings that will be reviewed by DEM. Tad questioned when information will be available on three other Board issues that have not been discussed: the need for new trails (to include an alternative analysis on why this location was chosen by WMA); clarification of various zoning overlays as included in the RMPP; and a public clarification of the relation between actual old growth forest and the old growth forest administrative boundary. Jeff Crowley stated that the alternative analysis will be done by June. Rich proposed a presentation of all of the requested information at the June Board meeting. Mike commented that the Board needs to look at the process of how decisions are made. Elisa agreed and added that DEM needs a better base of information when called upon to make decisions. Elisa stated that there is still no definition of what studies are being done as part of the Forest Type review. Peter noted that there may be debate over the scope and depth of studies being done. Mike asked what the Board's decisional time-line is in relation to how long construction will take. Jeff said that he is confident that construction will be completed by mid-September. Tad commented that the Board need not rush their decision based on the construction time frame and a Board vote will be put off if the information requested in September is not sufficient. Mike suggested that it would be helpful if the Board could be supplied with a decision tree type of logic diagram describing the inter-dependencies that would show the flow of DEM's decision making. Peter added that it would be good to get this info to the Board to the maximum extent feasible well in advance of the next meeting. Elisa commented that the Board still does not know what on-the-ground studies are being done. Tad stated that he expects that before June an outline will be distributed to the Board that can be discussed to determine if the info is adequate. Tad added that the Board has not been informed as to what will be included in the Forest Type Review. Tad stressed that to maximize communication now will result in less confusion in June. Mike expressed concern about how the Board approaches the process to avoid micro managing. Peter informed the Board that work has been ongoing since September. Pat recommended that Board members submit their particular questions that they believe may not be answered to Todd Frederick within the next two weeks to assure that the information is included in the final presentation. Elisa noted that Mass Audubon did send in a letter with a list of suggestions that she expects will be addressed.

**Public Comment:** Joe Choiniere recommended that a community level study needs to be done and he offered to assist DEM with the study. Jack Lash responded that he will endorse Joe's suggestion at the next team meeting. • Donna Brownell asked if DEM has had any further contact with Harvard Forest and expressed concern for the ecologist position still being open. Rich replied that DEM has not been in contact with Harvard Forest since December but he hopes to meet with them to review the results of the studies. Rich added that with the normal hiring process, it will be the end of June before the ecologist is on board. • Heidi Roddis commented that a number of questions being asked by the Board were asked through the MEPA review process and never answered. Heidi discussed the history of the project since the proposal in the early 1990s and expressed concern for how it relates to a bigger issue of how projects are planned. Heidi noted that other important issues for Wachusett include the public process regarding Article 97 Land and special events monitoring. According to Heidi, the fall season has the highest number of visitors with special events drawing more people to the mountain.
Dwayne handed out copies of the *Wachusett Mountain SR Monthly Report, April 2000.*

COMMISSIONER'S REPORT
Commissioner Webber reported that the interim move for the Boston Office is underway with staff relocating to the Transportation Building, Devens and other field offices. According to Peter, the permanent move to 251 Causway Street will take place sometime after August 2000. • Peter informed the Board of the new Director of Waterways, Nancy Thornton. • Peter acknowledged confusion regarding the studies done by Joe Choiniere at Wachusett and informed the Board that the studies were done under auspices of a permit with Bob Leverett. • Peter presented copies of the Secretary's *State of the Environment Report* for Board member viewing. • Peter reported that staff from Wendall State Forrest will meet with selectmen in the near future to discuss the installation of electrical service to operate the well and the lights at the picnic pavilion. Peter noted that the lights are for security purposes, not to expand use of the area into the evenings. • Peter reported that recent DEM announcements include Lakes and Ponds grants totaling approximately $300,000 and grants for planting trees through the Mass ReLeaf Program.
**Budget:** Peter reported that after completion of their actions on the FY 01 budget, the House took up the supplemental budget and approved it, including both funding items for DEM as recommended by the Governor. According to Peter, the Senate Ways and Means committee reported out today and he will provide that information to Board members when it is available. Peter added that in the main FY 01 budget, the House approved our long sought long term leasing authority for DEM- managed skating rinks, with the strong backing of Rep. Stanley. Peter stated that of serious overall concern is the extensive earmarking of several DEM accounts for local projects, generally without corresponding funding added to the respective account. Peter acknowledged that many representatives personally supported DEM requests, and several made special appeals on behalf of DEM, including Rep. Peter Larkin of Pittsfield, Rep. Harriett Stanley of West Newbury, Rep. David Sullivan of Fall River, and Rep. Fran Marini of Hanson, together with the Republican leadership team. Peter concluded that he will follow up with a chart on the budget to the Board.
**Mt. Everett:** Peter reported that he met with town officials and citizens in Mt. Washington to present a case to the community for repairs to the fire tower. Peter expressed concern for delays in the repairs and welcomed Board discussion. According to Peter, he has offered to extend his support for the prohibition of telecommunications on the reservation; however, this will not prevent DEM from installing panels for fire safety. Peter also agreed to extend his support for no improvements to the road, no utilities added to the reservation and no permanent generator installed. Peter added that he does not want to prohibit DEM from using generators as needed for on-going and emergency needs. Peter stressed that it is hoped legislation will pass in June but there is a need to proceed with repairs for fire protection purposes while the studies are being done. Chief Fire Warden Mike Tirrell explained that early detection is the prime objective as to prevention. Mike informed the Board that the repairs proposed are minimal to increase fire protection in Berkshire County and to make the tower itself safe. According to Rich Thibedeau, a team of DEM staff including Mike as well as Epsilon Associates is working to assure that the important resources of the mountain are protected while the repairs are being done.

**Public Comment:** Joe Choiniere expressed concern for doing a breeding bird study while repairs are being done. • Jay McCaffrey commented that this is another situation where the process needs to be outlined and the Sierra Club is supportive of waiting for the studies to be completed prior to repair work being done. • Eleanor Tillinghast expressed concern for the information from the studies not being included in the information being provided through the MEPA process. Eleanor added that based on her research, fire danger has historically been very low in the area. Eleanor commented that the permit process is a very slow procedure.
Tad questioned why the project can not be put on hold until the studies are completed as the Town of Mt. Washington is requesting. Ron asked if there is imminent danger to public safety or to the structure. Peter responded that there is concern for public safety and repairs have been deferred at least a year already. Tad commented that there hasn't been any communication from the local fire chiefs and Mike responded that the fire chiefs have tried to stay away from a political discussion but they will come forward if necessary. Mike added that DEM has the ability and the authority to repair fire towers. Debbie asked if there is any middle ground for providing fire protection coverage on a temporary basis through alternative means that DEM would be comfortable with so we could accommodate what has turned into a controversial situation. Peter replied that he welcomes the sense of the Board; however, he remains concerned for public safety. Pat commented that based on her faith in the professional staff of DEM, she agrees that whatever repairs are necessary to provide protection of the forest and the community should be done. Deb agreed but would recommend delaying the repairs if possible. Ron expressed his opinion that the tower is an eyesore and a hazard that should be repaired as soon as possible. Elisa stated that while she supports DEM staff's professional recommendation, she would like to see controversy diffused if possible. Elisa continued that she supports having a staff person in the tower as opposed to other types of fire detection. Mike Last commented that points from the community have been well taken; however, based on DEM staff recommendation he would lean towards doing the repairs as soon as possible. Mike expressed concern for the permitting process and asked if there is a way to expedite the permits. Mike suggested rigorous supervision for the work crew doing the repairs and Mike T. responded that repairs will be done by DEM's Fire Crew who are sensitive to the forest. Peter suggested that it may be feasible to adjust the time scheduled for the repairs to work around the nesting season.

PUBLIC COMMENT
Mark Bettencourt commented that the new Forests & Parks Guide to Recreation does not have an off road vehicle (ORV) icon nor a list of the state facilities opened for riding. Mark added that while the equestrian trail icon is on the brochure, the list is not accurate. Mark suggested that they be included on the 2001 F&P brochure.
Dave Poddles handed out copies of recent press articles about the local citizen's project to link the Douglas SF and Purgatory Chasm SR to the Lake Manchaug Greenway and Wildlife Corridor.
Dave expressed concern for the Hemlock Woolly Adelgid that is destroying historic trees on the reservation. According to Dave, the trees will be dead by next year if something is not done now. Peter suggested that the issue be incorporated into the forestry discussion at the next meeting.

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Having concluded all business Elisa Campbell moved to adjourn the meeting at 2:30PM. Deb Cary seconded. The next meeting of the Board of Environmental Management has been scheduled for 11:00AM, Tuesday, May 23, 2000 at Purgatory Chasm State Reservation in Sutton, MA.

# BOARD OF ENVIRONMENTAL MANAGEMENT
## May 23, 2000
## Purgatory Chasm State Reservation
## Sutton, MA

MEETING MINUTES

A meeting of the Board of Environmental Management was held on Tuesday May 23, 2000 at the Purgatory Chasm State Reservation in Sutton, MA.
Those in attendance were Chairman Tad Ames, Deborah Cary, Elisa Campbell, Michael Last, Ron Smith and Brendan O'Neill. Absent was Patricia Karl. Present from DEM were Commissioner Peter Webber, Director of Forests and Parks Todd Frederick, Wachusett Mountain SR Supervisor Dwayne Ericson, State Lands Forester Bill Rivers, Bureau Chief Charlie Burnham and WBNERR Supervisor Christine Gault. Others present included Mark Bettencourt, Joe Choiniere, Marilyn Lund, Bob Lund, Heidi Roddis, Jeff Crowley, Donna Brownell, Gordon Brownell, James McCaffrey, Tom Lynch and Gregory Cox.

The meeting was called to order at 11:00AM by Chairman Tad Ames.

APPROVAL OF MINUTES
Elisa Campbell moved to approve the April Meeting Minutes. Ron Smith seconded. All in favor. None opposed.
**By unanimous vote of all members present, the Board voted to adopt the April 2000 Meeting Minutes.**

WBNERR MANAGEMENT PLAN
Director Todd Frederick informed the Board that the WBNERR Management Plan still needs to go through the MEPA process. Supervisor Christine Gault added that the plan also must go through the Federal Register Process simultaneously and will include the Public Comment period. Christine handed out copies of the *Cultural Resource Management Protection at Waquoit Bay National Estuarine Research Reserve.* Todd requested that for the sake of expediency, the Board vote to approve the plan today contingent upon final approval through the MEPA process. According to Todd, changes to the plan are not expected through the public review process; however, if there are changes that require a Board vote, the plan will be brought back before the Board. Debbie expressed concern for Board approval of a plan without completion of the public review process. Peter suggested that the Board endorse the plan pending final various public comments and then the plan can be brought back to the Board for final approval. Deb stressed the need for the Board to be consistent about embracing public comment.
Debbie Cary moved to endorse the WBNERR Management Plan in anticipation of Board approval pending final public comment. Ron Smith seconded. All in favor. None opposed.

**By unanimous vote of all members present, the Board voted to endorse the WBNERR Management Plan in anticipation of final Board approval pending final public comment.**

Christine handed out and discussed the *WBNERR Annual Report, July 1998-June1999* and *Tidal Exchange, the Spring 2000 Newsletter of the WBNERR.*

FORESTRY PRESENTATION
State Lands Forester Bill Rivers presented various slides depicting the history of forestry in Massachusetts as well as today's DEM Bureau of Forestry, which has 5 programs: State Forestry Lands Management; Urban Forestry; Service Forestry; Marketing and Utilization; and Forest Health. According to Bill, the most important part of eco-system management is to restore the natural processes. Bill described the three aspects of eco-system management as conserving bio-diversity, recognizing a social component and adaptive management. Bill explained the importance of bio-diversity and reported that 266 out of the 338 wildlife species in New England depend upon forests. Bill continued that of the 266 species, 39 use dead and down materials, and 51 use trees with cavities. Bill discussed how woody debris is needed for stream control as well as fish habitat. Bill also discussed age class distribution and desired future conditions to create diversity. Bill stated that the social component includes public safety, outdoor recreation and forest products. Bill noted that a thesis developed by a Kennedy School student determined that in

Massachusetts approximately 90 million board feet of timber are harvested each year in Massachusetts; however, 20 times that amount is utilized. Bill added that approximately 30,000 acres are harvested each year. Bill reported that adaptive management is a circular process where management activity is initiated, monitored and then adjusted as more is learned. Bill handed out and discussed the *Sustainable Forestry Initiative Standard*. Tad commented that it is important to highlight how understaffed the forests are.

WACHUSETT MOUNTAIN STATE RESERVATION

Todd handed out the *Wachusett Mountain State Reservation Monthly Report, May 2000*. Todd reported that based on advice from DEM Legal Counsel, he will not provide draft printed information to the Board until it has been reviewed and becomes final. Todd updated the Board on several key things that are ongoing and very close to completion. According to Todd, with regards to the Forest Types Analysis, DEM's Management Forester is very confident that he has found areas on the reservation that are very similar and like the proposed section to be cut for the ski area expansion. Todd informed the Board that Jack Lash is still working on the avian species study and the old growth boundary issue is being discussed. Todd continued that meetings with Wachusett Mountain Associates (WMA) and DEM are ongoing to discuss Section 61 items. According to Todd, all of the permits are in place to proceed with the expansion of the Base Lodge. Todd urged Board members to send their particular questions to him. Todd added that the interviews have been completed for the ecologist position. Debbie commented that Board members are looking for comprehensive, consistent responses to the Section 61 Finding requirements. Mike commented that Todd's presentation is totally circumspect; however, he acknowledged the legal issues of public information and preserving confidentiality. Mike expressed frustration that the information may not be provided to the Board until the last minute. Mike suggested that the Board be given the information in a private setting. Todd stated that the Board may consider going into an executive session. Mike added that it may be necessary to have an agent from the Attorney General's Office present to set the ground rules and have Board members sign confidentiality agreements. Brendan commented that as a subset to the like forest types analysis, what the Board would be comfortable with and has a desire to see is an informed opinion of the relative contribution of the subject area of the Alpine Park to a sustained biodiversity regionally and sustained community characteristics across the region. Tad agreed and added that the Alpine Park may be performing an ecological service to the reservation and the living creatures that are there. Tad questioned if development of the Alpine Park did destroy this ecological service, would it continue elsewhere on the reservation or would habitat be wiped out or significantly decreased. Mike commented that if the Alpine Park is developed and it is found to cause adverse impacts, DEM needs to be prepared to mitigate. Elisa expressed skepticism for the ability to mitigate the effects of cutting down 140-year-old trees. Tad reiterated the Board's earlier requests for an alternative analysis to clarify why the Alpine Park must be placed at the proposed site. The Board agreed to a June 13, 2000 Executive Board Meeting for a single agenda item, Wachusett document review.

**Public Comment:** Heidi Roddis asked if WMA will be present at the June 13 meeting and Elisa responded, no. Heidi expressed concern that the public will not get a chance to see the documents before the Board vote and she urged Board members to take a very close look at all of the issues contained in last summer's list of requests for information.

Jay McCaffrey commented that the Board needs to keep in mind that the public is still asking for the same information that they were asking for last summer during the MEPA review and the questions raised are the same questions that have been asked for the last seven years. Mike asked Jay who the plaintiffs are and Jay replied that they are Watchdogs for an Environmentally Safe Town (WEST), the Sierra Club and sixteen citizens of the Commonwealth. Mike explained that the Sierra Club will have full opportunity for discovery during the course of the litigation and the Board can not be surrogates for that. Elisa commented that once the documents are no longer in draft form, they may be considered public documents. Mike stated that when DEM is sued, so is the DEM Board and thus the Board is part of the litigation and bound by a duty that may need to be defined by the Attorney General. Donna Brownell commented that the Board may be under time constraints as it has been reported in the press that WMA plans to work on the Alpine Park in July and August.

Jeff Crowley responded that any work done would be with the approval of DEM. Jeff added that WMA is fully prepared to cooperate with the Board's request for information; however, he will make sure that all of WMA's attorney's are in agreement that this process is going to work.

Heidi Roddis expressed concern for the possibility of DEM and WMA negotiating behind the scenes. Heidi continued that it is frustrating for the public not to have access to information.

Tom Lynch requested that the Commissioner have DEM staff represented at a meeting of the Princeton Conservation Commission when WMA gives a presentation. Commissioner Webber responded that Toms' request is reasonable and DEM will try to comply.

COMMISSIONER'S REPORT

Commissioner Webber reported that the transitional move of the Boston staff is underway. According to Peter, he is at the Transportation Building in Boston along with Susan Hamilton and Mary Griffin, while Todd Frederick, Marty Suuberg and Susan Frechette are based in Devens.

**Budget:** Peter informed the Board that the Senate is beginning debate on its version of the budget today . According to Peter, there is significant improvement in the numbers as compared to the House version and while there are still earmarks, most on the Senate side are funded. Peter stated that the net figure on the Senate side is still below DEM's revised maintenance figure. Peter added that Senator Pacheco has offered an amendment to add an additional $350K that corresponds with an amount approved by the legislature with the supplemental budget. Peter reported that Senator Brewer offered an amendment for about $190K increase to the summer/fall seasonal account.

**CAC Report:** Peter stated that the DEM's recommendations included in the Citizen Advisory Committee Report were endorsed by the House; however, language in Senate's version may lead to the report being an issue in conference. According to Peter, committees will be reviewed during the next fiscal year to consider terms and address the diversity issue for broader representation. Debbie commented that "standing committees" are not referenced in the legislation and Peter responded that it is implied. Elisa suggested that including the words "standing committee" may be helpful for advocates to understand the legislation. Elisa added that a list of the committees that are considered standing committees may also be helpful.

**Hoosac Lake:** Peter reported that as a result of the County of Berkshire going out of existence the end of June, DEM will acquire Hoosac Lake while the Lake District will assume management of the property. Debbie asked what public access will come with the property and Peter responded that while it is not currently part of the budget, there may be a place to develop future public access in a small way. Peter added that a bikeway is being built along the eastern shore with a restroom facility.

FOREST & PARKS REPORT

Director Frederick reported that the seasonal funding issue has been addressed. According to Todd, the biggest challenge has been finding park workers at $6.50 per hour. •Todd informed the Board that a massive outreach campaign for lifeguards includes several training programs for certification and so far has been successful. Todd added that some lifeguard slots remain challenging to fill. •Todd reported that fire danger is reduced significantly in the Commonwealth due to the rain; however, fire staff remain on alert to assist other states. •Todd informed the Board of an earmarked line item of $200,000 in strong support of the Gold Medal Initiative. Debbie asked how the money will be spent and Todd replied that work will include developing a strategic plan and possibly hiring outside help to facilitate the process of going after the award. •Todd reported that the Massachusetts Beach Buggy Association has completed approximately 400 man hours of volunteer work at Scusset Beach SR. •Todd informed the Board of an earmark in the FY00 budget to transfer funds over to UMass to restore cranberry bogs in Myles Standish SF (MSSF). •Todd noted that two successful prescribed burns have taken place at MSSF. •According to Todd, the RMP with regard to ORVs in MSSF is proceeding. •Todd continued that the Deputy Commissioner of Natural Resources, the Park Director and other staff from Connecticut will visit Tolland SF to observe how DEM manages ORV use within the state forests. •Todd concluded that all six of the yurts are now in place at Nickerson SP.

Elisa asked if there is any word on DEM's capital deficiency and Peter responded that there's an indication that the bill may be moving.

Tad requested an update on the septic problem at Mt. Greylock and Todd responded that DEM has hired a consultant to look at the issue.

PUBLIC COMMENT

Tom Lynch asked where the prescribed burn took place and Todd responded that two prescribed burns, eight acres each, took place in Plymouth.

Mark Bettencourt suggested that to avoid negative comments regarding selective logging, DEM may consider keeping the trails clear on the weekends as part of the prescriptions.

Heidi Roddis urged Board members to look carefully at comments received from environmental groups and citizens regarding individual projects. Heidi stressed the need for a programmatic review of high ground issues to optimize fire management and minimize environmental impact. Heidi concluded that environmental groups should be natural allies to DEM and their time would be better spent lobbying for additional funding instead of disagreeing about some project.

BOARD CONCERNS

Tad handed out copies of a possible language change to DEM's High Ground Policy. Tad stated that he would like to discuss the possible change at a future Board meeting.

In response to a previous Board discussion about the proposed golf course at Greylock Center, Brendan presented information on organic turf management procedures being explored on Martha's Vineyard.

Debbie urged Board members and DEM staff to think about the upcoming Board member expirations to assure a smooth transition. Mike added that August may be a good time for an election of new officers for the Board. Peter requested that Board members should contact him to discuss their future plans regarding reappointment.

FORESTRY PRESENTATION (cont.)

Charlie Burnham presented several slides of the Hemlock Wooly Adelgid and explained their life cycle. According to Charlie, the Hemlock Wooly Adelgid was first found in Massachusetts in 1989 in the Forest Park section of Springfield and since that time, it has been found in 96 communities across the Commonwealth. Charlie noted that the insect has been found in three DEM properties. Ron asked how the insect spreads and Charlie responded that it is predominantly spread by birds and mammals. Charlie discussed the three means of control: the Japanese ladybug, which is a predator of the Adelgid; chemicals/insecticide soaps, which are very expensive; and a hydraulic spray rig with horticultural oils or soaps. Debbie asked if there is a plan to control the Adelgid at Purgatory Chasm SR and Charlie answered that there is not at this time. Charlie explained that it is impractical to consider spraying the entire facility so the starting point is for each facility to decide which Hemlocks need to be protected. Todd stated that the State Foresters from Maine, Vermont and New Hampshire are encouraging the federal government to give Massachusetts funding to combat the Adelgid before it travels north. Debbie suggested that DEM should have a response plan. Charlie replied that the State Foresters are pushing the federal government to increase the rearing capacity of the Japanese ladybug. Peter concluded that with the information provided, DEM will work towards developing a plan and share it with the Board at a future meeting. Heidi commented that while it is important to develop a plan for combating he Hemlock Woolly Adelgid, it is also important to recognize other pests such as the Asian Longhorn Beetle. Charlie invited Board members to join him on a tour of Purgatory Chasm SR to view the affected trees.

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Having concluded all business Deborah Cary moved to adjourn the meeting at 2:30PM. Brendan O'Neill seconded. The next meeting of the Board of Environmental Management has been scheduled for 10:00AM, Tuesday, June 13, 2000 at the DEM Devens Offices.

**BOARD OF ENVIRONMENTAL MANAGEMENT**
**June 13, 2000**
**DEM-Devens Office**
**Ayer, MA**

MEETING MINUTES

A meeting of the Board of Environmental Management was held on Tuesday, June 13, 2000 at the DEM-Devens Office in Ayer, MA.
Those in attendance were Chairperson Tad Ames, Deborah Cary, Elisa Campbell, Patricia Karl, Michael Last and Brendan O'Neill. Absent was Ron Smith. Present from DEM were Commissioner Peter Webber, Director of Forests and Parks Todd Frederick, Legal Counsel Ron Washburn, Director of Resource Protection Richard Thibedeau, Regional Director Don Stoddard, Assistant Regional Director Tom Lavoie, Director of Environmental Planning Andrea Lukens, GOALS Program Director Jack Lash, Management Forester Chuck Pernaa and Senior Systems Analyst Mike Ridge.

The meeting was called to order at 10:14am by Chairman Tad Ames.

WACHUSETT MOUNTAIN STATE RESERVATION
Chairman Tad Ames requested guidance from DEM Legal Counsel Ron Washburn regarding the procedure necessary for the Board to convene an executive session. Ron described the procedure as set forth in M.G.L. Chapter 39, Section 23B.

**Michael Last moved** to go into executive session based upon virtue of the fact that the topic of the executive session could have a potentially detrimental effect of the litigation position of a governmental body being the Department of Environmental Management and the Commonwealth of Massachusetts.
**Patricia Karl seconded**.

Discussion: Tad questioned if a vote on the Alpine Park would be taken in an open session and Ron responded that it would. Tad asked if the Board would be able to discuss their rationalizations behind the vote or if they would be bound by the confidentiality agreement signed today. Ron replied that it may be better for the agency and the Commonwealth to hold discussions within an executive session. Elisa commented that she is not comfortable with not allowing the public access to information prior to a vote taking place. Commissioner Webber commented that he anticipates the final documents to become public and available through discovery once a vote is taken. Tad summarized that it's not that the information is private: it's the Board's discussions about the information that may compromise the Department's position in the litigation. Ron agreed. Tad said that he is comfortable with the process as long as the public is allowed to see the information that the Board uses to determine its vote. Elisa reiterated that the public has a right to have the information prior to the vote to allow time for public comment. Tad asked if the information could be released to the public prior to the next Board meeting for review and comment with the understanding that Board members are still bound by confidentiality in their discussions. Peter replied that there may be a need to consult with the Attorney General's office for advice prior to public release.

All in favor. None opposed.

Roll Call: Elisa Campbell "aye," Michael Last "aye," Patricia Karl "aye," Deborah Cary "aye,"
Brendan O'Neill "aye," Tad Ames "aye."

**By unanimous vote of all members present, the Board voted to go into executive session because the topic of the executive session could have a potentially detrimental effect of the litigation position of a governmental body being the Department of Environmental Management and the Commonwealth of Massachusetts.**

Chairman Tad Ames stated that the Board would not reconvene in open session after the executive session has been concluded.

**BOARD OF ENVIRONMENTAL MANAGEMENT**
**July 17, 2000**
**Lawrence Heritage State Park**

MEETING MINUTES

A meeting of the Board of Environmental Management was held on Monday July 17, 2000 at the Lawrence Heritage State Park.
Those in attendance were Chairman Tad Ames, Deborah Cary, Elisa Campbell, Michael Last, Ron Smith, Patricia Karl and Brendan O'Neill. Present from DEM were Commissioner Peter Webber, Director of Forests and Parks Todd Frederick, Chief Legal Counsel Mary Griffin, Director of Resource Protection Richard Thibedeau, Deputy Commissioner of Resource Conservation Susan Frechette, Regional Director Don Stoddard, Director of Environmental Planning Andrea Lukens, GOALS Program Director Jack Lash and Management Forester Chuck Pernaa. Others present included Senator Susan Tucker, Representative David M. Torrisi, City Councilor Mike Sullivan, Gary Clement, David Burke, Mark Bettencourt, Joe Choiniere, Heidi Roddis, David Crowley, Donna Brownell, Gordon Brownell, James McCaffrey, Tom Lynch, Jason Kotoch, Emily Ashman, Alison Picard, Mary Anne Magiera, Phyllis Booth, Deb Sandstrom, Mary Girouard, Karen Rohrbaclen, Bob Kfoury, D. McClellan, Joe Parocis, Ruth A. Lange, Peter Kochler, Francis Gorham, Richard McCarthy, Marianne Haley, Beth Brazil, Gary Thomas Keating, Jonas Stundza, Rene Bcenandan, Norm Nimmo, David McKeehan and Eleanor Tillinghast.

The meeting was called to order at 10:00AM by Chairman Tad Ames.

Chairman Tad Ames welcomed Senator Susan Tucker and Representative David Torrisi. Senator Tucker discussed how the DEM Forests and Parks system is critical to the City of Lawrence in addressing the city's quality of life issues and revitalization. Senator Tucker urged DEM to move forward with a plan to expand use of the Merrimac River to provide recreational opportunities for thousands of children. Representative Torrisi agreed with Senator Tucker that the Lawrence HSP is very important to the city and the plan to expand use of the river needs to be updated and implemented.

APPROVAL OF MINUTES
Ron Smith moved to approve the May and June Meeting minutes (excluding executive portion of the meeting). Elisa Campbell seconded. All in favor. None opposed.

**By unanimous vote of all members present, the Board voted to adopt the May and June 2000 Meeting Minutes.**

WACHUSETT MOUNTAIN STATE RESERVATION
Resource Management and Protection Plan
Elisa Campbell moved to approve the Wachusett Mountain State Reservation Resource Management and Protection Plan. Patricia Karl seconded.
Elisa commented that the plan is a good base document with expectations for improvement as more is learned. Debbie agreed and stressed the importance of the plan being followed.
All in favor. None opposed.

**By unanimous vote of all members present, the Board approved the Wachusett Mountain State Reservation Resource Management and Protection Plan.**

Alpine Park
Director Todd Frederick gave a brief overview of the *Report to the Board on the Wachusett Mt. Ski Trail Expansion, July 11, 2000.* Director of Resource Protection Richard Thibedeau highlighted the updated information.
***Public Comment***
Joe Choiniere commented that while the proposed project area is not considered unique by DEM staff, it is, in his opinion, different enough to keep.
Heidi Roddis commented that the new report confirms what is already known as well as some interesting information. Heidi stated that this project is an example of the privatization of public lands and urged Board members not to approve the Alpine Park expansion.

Jay McCaffrey presented and discussed a series of maps depicting the proposed Alpine Park area and the existing snowboard area. Jay commented that the need has not been met as far as analyzing why this expansion is needed. According to Jay, there is no mention in the report of the nationwide shift in skiing and snowboarding usage resulting in the reallocation of an existing user group within a resource area. Jay asked the Board to consider the impacts and the influence this project will have on the state forests and parks system presently and in years to come and he urged the Board to vote no on the Alpine Park project.
Tom Lynch disagreed with the figures in the report regarding how many trees will be cut down. According to Tom, approximately 1200 trees will be cut down and everything below the administrative line will be segmented. Tom expressed hope that the Board would make a decision that will be in the best interests of the public.
Donna Brownell requested that the Board turn down the Alpine Park project and vote against private profit from public parks.
Mark Bettencourt commented that the biggest problem facing DEM is the lack of funds. Mark added that it would be beneficial for everyone to work together rather than an adversarial experience and he wished there were a way to not restrict other recreational users of the forests and parks land. Mark concluded that the reason why WMA makes a large profit is due to the demand for the services that they provide.
David McKeehan commented that the ski area is vital to the economy and culture of North Central Massachusetts. David stated that DEM/WMA is a model public/private partnership and the proposal is important to long term use of the facility as well as to provide additional safety for winter recreation. David urged Board members to support the proposed changes to the ski area and to approve the project.
Gordon Brownell commented that Wachusett Mountain is one of the most dangerous ski areas and he urged Board members to vote against the proposed expansion.
***Board Discussion***
Elisa commented that there is a lot of good information in the report; however, many questions remain unanswered. Elisa stressed that the Board is concerned with the ecological function of the area; however, none of the members has ever said that the forest triangle area had to be unique. Mike questioned the ecological significance of the boulder field and Jack Lash replied that while it probably isn't important for birds, it might be for small mammals. Mike requested staff comment on the significance of chopping off the connecting habitat that comes down the center of the ski area as shown on the maps presented by Jay McCaffrey. Rich responded that a survey of the area shows that it is well within the developed trail park. Chuck added that as the area is already fragmented, he does not see the significance of a continual forest area. Brendan commented that it does not make sense to risk further deterioration of the habitat quality in the proposed area. Brendan expressed continuing concerns with regard to the old growth forest buffer and the increased capacity. Brendan concluded that the proposed area is interesting forest woodland with over one hundred species of plants with no invasive species and it should remain untouched. Ron commented that any expansion would cause some impact; however, he is in favor of the project as long as it's done properly and responsibly. Patricia acknowledged the importance of the role DEM staff had doing research and providing information to the Board. Patricia stressed the importance of balancing ecological protection of the resources and outdoor recreational opportunities for the citizens of the Commonwealth. Patricia stated that she is in favor of the proposal. Debbie commented that the process has led to the development of the RMPP, new hires and procedures that will bode very well towards better management of the entire reservation. Debbie stated that multiple personal and professional relationships resulted in her decision to abstain from voting. Mike agreed that the process has been a good one and hopefully it will be used successfully as a model with other resources in the Commonwealth, particularly with regards to private entitlement of public land. Mike added that the Board is in a difficult position when litigation commences, as there are issues that can not be tried in a public forum. Mike stated that he will support the proposal with a caveat that DEM needs to be absolutely certain that WMA follows the operations recommendations. Tad commented that he remains convinced that this project will have a negative impact on the resources of Mt. Wachusett SR and that he is not convinced that trails 5A and 5B are needed. Tad added that given DEM's mission, the Board should go towards conservation first and recreation second. Tad concluded that it is his decision that the project should not go forward.

Patricia Karl moved to approve the following motion.
Ron Smith seconded.

**Whereas, in a vote taken on August 10, 1999, the Board of Environmental Management recommended to Commissioner Peter Webber that no approval of the Alpine Park proceed without further study of the various issues related to the project and**
**Whereas, a report prepared by the Department of Environmental Management dated July 11, 2000, included information and findings addressing concerns identified by the vote of August 10, 1999.**
**Therefore, following review of the July 11, 2000 report, the Board advises the Commissioner, as a policy recommendation, to approve construction of the Alpine Park and proceed with permitting thereof.**

3 in favor (Ron Smith, Michael Last and Patricia Karl), 3 opposed (Tad Ames, Elisa Campbell and Brendan O'Neill), 1 abstention (Deb Cary).

According to Legal Counsel Mary Griffin, the split vote means that the Board has not made a policy recommendation to the agency one way or the other, which leaves the authority with the Commissioner to proceed as he sees determines appropriate.

COMMISSIONER'S REPORT
Commissioner Webber acknowledged the enthusiastic support of the Friends of Lawrence HSP and the Lawrence HSP Advisory Committee. Peter added that one of priority acquisition projects for the upcoming fiscal year relates to the acquisition of a key parcel in the Pemberton Park area. • Peter reported that as of last Friday, the Conference Committee had not completed its work on the budget. Peter continued that DEM staff has been working with the Conference Committee to clarify the language that was in the House version of the Citizen Advisory Committee Report. • Peter presented the *Massachusetts DEM Coastal Access Program 1999 Annual Report* and the *DEM Newsline, Summer 2000 edition* for Board review. • According to Peter, DEM is finalizing the negotiations with Greylock Management Associates on the Greylock Center Land Disposition Agreement (LDA) as well as the Master Lease: both are expected to be in final draft and ready for public comment, as required in the Secretary's Certificate, within the next two weeks. Peter added that about the same time of the Notice of Intent document will be submitted to the Adams Conservation Commission relative to the development of utilities on West Mountain Road. • Peter reported that Marty Suuberg has accepted a position as General Counsel for the Department of Environmental Protection; however, DEM will retain his services part-time for the balance of the Greylock Center LDA process. According to Peter, Susan Frechette will replace Marty, as Deputy Director of Resource Conservation and Susan Hamilton will oversee staff in Human Resources, Finance and Administrative Services as Acting Deputy Commissioner of Administrative Services. Peter stated that the position of Deputy Commissioner of Administrative Services is to be posted in the near future. • Peter informed the Board that the deadline for making a decision on the pending Area of Critical Environmental Concern nomination for the Miscoe, Warren and Whitehall Watersheds Reserve Area is today and Secretary Durand is expected to make his decision by 5PM. • Peter concluded that the Legislature announced that the Conference Committee has reached an agreement regarding the Community Preservation Act and while all of the details have yet to be worked out, a matching fund will be available to communities.
Debbie requested an update on the Supplemental/Capital budget and Peter responded that it has passed the House and gone to the Senate Ways and Means Committee.

PUBLIC COMMENT
Director Joe Parocis (Lawrence Recreation Department) highlighted the success of public/private partnerships in Lawrence.
Director Peter Kochler (Greater Lawrence Community Boating Program) commented that moving the community access boat ramp upriver would address safety issues. Deb asked what steps are needed to obtain a new boat ramp. Mr. Kochler replied that there is currently land available and two small bridges would have to be built to continue a walkway.
Lawrence City Counselor Mike Sullivan stressed his support of the expansion plan for Lawrence HSP.
Bob Kfoury (Gen Corp Inc.) commented that he strongly supports and encourages the expansion of Lawrence HSP as it is, in his opinion, the heart of the city.
Eleanor Tillinghast asked what timetable DEM staff will follow regarding the Environmental Impact Report (EIR) for the proposed work on Mount Everett and review of the telecommunications, fire tower and Article 97 policies. Peter responded that a timetable is not available yet but as the information does come available, it will be made available to the public. Eleanor asked if a letter was sent by the Commissioner to the Conference Committee in support of the House

budget version of the legislation. Peter replied that a letter was sent and it is his understanding that a copy was sent to the Board of Selectmen.
David Burke (Lawrence HSP Advisory) expressed concern for the need for additional staff at Lawrence HSP.
Marianne Haley (Groundwork Lawrence) urged support for Lawrence HSP and commented on the many opportunities the park provides to the children of the Lawrence area.
The Executive Director of Family Services urged Board members to support increased funding for Lawrence HSP for the improvement of the entire community.
Gary Keating (Garrett Players, Inc.) gave a brief overview of Robert Frost's connection to the Merrimac River. Gary added that bringing people to the park gives them the opportunity to learn the history and connect to the past.
Gary Clement (Mayor's Office) encouraged DEM staff and Board members to stop by the boating program and to give their support for the thousand of kids from Lawrence and surrounding communities that benefit from the program.
Norm Nimmo (Bread & Roses Heritage Committee) commented on the staff of Lawrence HSP as hardworking, dedicated individuals who are always willing to support community efforts.
Richard McCarthy (Lawrence Trails Committee) urged support for opening the trail along the river in Andover to allow access to a woodland, riverside experience to the people of Lawrence.
Mary Girouard (Friends of Lawrence HSP) commented that the Friends group's primary mission is that of promoting interest in the park. Mary expressed concern for the rope swings into the Merrimac and urged the re-opening of pools in Lawrence. Mary encouraged everyone to take a tour of the Visitor Center before departing.
David Burke questioned the status of the Environmental Bond Bill and Commissioner Webber responded that it has passed the House and is currently in Senate Ways and Means.

Elisa Campbell asked if DEM succeeded in saving Den Rock Park. Peter replied yes; however, the private land next to the park has been developed.

HIGH GROUND
Chairman Tad Ames handed out and discussed the proposed change to the DEM High Ground Telecommunications: Public/Private Sector Access and Use Policy. Tad stressed the importance for the Board to consider the issues surrounding the policy as well as the use of DEM land. Tad noted that DEM controls approximately sixty percent of the state's high ground. Todd stated that it may be helpful for DEM staff to provide more information to Board members before they vote on the change. It was agreed to continue "High Ground" on the next agenda.

FOREST & PARKS REPORT
Director Todd Frederick reported that the AmeriCorp group is working along the river at Lawrence HSP this week.
• Todd informed the Board that the Hawes property deal has gone through to give approximately 300 acres of land to the City of Fall River with restrictions, and in exchange for a larger area of protected open space that will be held by the state. • According to Todd, a survey of customer satisfaction with the campgrounds reservation system has been completed by the Human Dimensions Research Unit, Department of Natural Resources Conservation, UMass Graduate School which rated satisfaction in all categories at eighty percent and above. Todd added that the survey also revealed an increase in new users. • Todd discussed the continued challenges facing DEM. According to Todd the low seasonal position pay rate of $6.50 per hour makes it difficult to fill positions; however, an increased rate has been proposed. Todd noted the continued struggle to fill lifeguard positions. • Todd informed the Board that Brian Shanahan will fill the position of Region 1 Director. • Todd reported that there is a renewed interest in the sailing program at Fall River. • Todd stated that Sail 2000 was a big success. According to Todd, shingles containing asbestos were discovered on Gallops Island but with the team effort of the DEM, the Department of Environmental Protection and the Department of Public Health, the island was open in time to safely accommodate visitors to view the tall ships. • Todd concluded that the Secretary of the Virginia Environmental Affairs along with a group of boy scouts visited Salisbury Beach SR last week.

BOARD CONCERNS
Elisa commented that there are land acquisition issues in the Connecticut River Valley.
Tad stated that "Election of Officers" should be on next month's agenda.

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Having concluded all business Elisa Campbell moved to adjourn the meeting at 2:00PM. Brendan O'Neill seconded.
The next meeting of the Board of Environmental Management has been scheduled for Tuesday, August 29, 2000 at the Fall River Heritage State Park.

Board of Environmental Management
September 11, 2000
Fall River Heritage State Park

Meeting Minutes

A meeting of the Board of Environmental Management was held on Monday, September 11, 2000 at Fall River Heritage State Park in Fall River, MA.
Those in attendance were Chairman Tad Ames, Deborah Cary, Elisa Campbell, Michael Last, Brendan O'Neill and Patricia Karl. Absent was Ron Smith. Present from DEM were Commissioner Peter Webber, Director of Forests and Parks Todd Frederick, Chief of Legal Services Mary Griffin, Deputy Commissioner of Resource Conservation Susan Frechette, DEM Senior Counsel Dolores Boogdanian and Regional Planner Terry Blunt. Others present included Mark Bettencourt, James McCaffrey, Marilyn Lund, Jeff Crowley and Jackie Davison.

The meeting was called to order at 11:15AM by Vice Chairperson Deborah Cary.

FORESTS & PARKS REPORT
Director Todd Frederick reported that approximately 20 members of the AmeriCorp group graduated after completing thousands of hours of work on many projects. •Todd discussed the participation of DEM's Wildfire Crew assisting out west. •Todd informed the Board of a Capital Summit Meeting that recently took place with staff from each region represented to discuss funding needs and prioritizing future projects. •Todd discussed the Gold Medal Award with the Board. •Todd informed the Board that the Conference Committee is meeting this week on the Conservation Reinvestment Act. •Todd noted that there was a good exchange of ideas at the recent National Association of Park Directors Conference in Oklahoma City.

APPROVAL OF MINUTES
Elisa Campbell moved to approve the July Board of Environmental Management Minutes. Michael Last seconded.

**By unanimous vote of all Board members present, the Board approved the Board of Environmental Management July Meeting Minutes**

HIGH GROUND
Director Todd Frederick reported that the amendment proposed at an earlier Board Meeting has been referred to legal staff for further research of several issues including Board authority and conflicting laws. Following discussion, Tad concluded that the Board would proceed based on the information brought back after the legal research is done.

WACHUSETT UPDATE
Director Todd Frederick handed out and discussed the *Wachusett Mountain State Reservation, Monthly Report, August 2000.* Chief of Legal Services Mary Griffin gave a summary of recent decisions by the courts in the Wachusett litigation.
**Public Comment:** Jay McCaffrey handed out copies the *Plaintiffs' Motion for Preliminary Injunction* that was prepared by the Massachusetts Audubon Society. Jay thanked Board members and commented that when there is a conflict, the decision should fall on the side of conservation.
Jeff Crowley commented that it is a travesty of the legal system that different decisions are made by judges on the same issue. According to Jeff, the decision of the Secretary and the Commissioner was correct and he still believes in the project.

LAND ACQUISITION
Chief of Legal Services Mary Griffin and Senior Counsel Dolores Boogdanian discussed the proposed friendly taking of parcels of land located in Dartmouth, Fall River and Freetown.
Elisa Campbell moved to approve the following vote as prepared in draft by DEM legal staff. Michael Last seconded. All in favor. None opposed.

**VOTED:**

**To approve the exercise of the power of eminent domain by the Commissioner of the Department of Environmental Management, acting pursuant to and in accordance with Sections 3 and 3A of Chapter 132A of the General Laws, to acquire the fee or lesser interests in 3800 acres, more or less, of land located in the City of Fall River, the Town of Dartmouth, a nd the Town of Freetown, said land now or formerly owned by Acushnet Saw Mills Company, the Richard G. Hawes Revocable Trust, and/or owners unknown.**

Dolores Boogdanian recommended that the Board discuss the next land acquisition project within executive session, in accordance with General Laws Chapter 39 Section 23B, because the discussions may have a potentially detrimental effect on the negotiating position of the agency in connection with a land acquisition project, as well as the litigation position of the Department and the Commonwealth of Massachusetts.
Elisa Campbell moved to go into executive session.
Michael Last seconded.
Roll Call: Elisa Campbell "aye," Michael Last "yes," Patricia Karl "aye," Deborah Cary "aye," Brendan O'Neill "yes," Tad Ames "aye."
All in favor. None opposed.

**By unanimous vote of all members present, the Board voted to go into executive session because the discussions of the executive session could have a potentially detrimental effect of the negotiating position as well as the litigation position of the Department of Environmental Management and the Commonwealth of Massachusetts.**

Chairman Tad Ames stated that the Board meeting would reconvene after the executive session.

ELECTION OF OFFICERS
Tad Ames noted that the terms for current Board officers have expired and he urged the election of new officers.
Debbie Cary nominated Michael Last as Acting Chairman, Brendan O'Neill as Vice-Chairman and Patricia Karl as Secretary. Tad Ames seconded.
All in favor. None opposed.

**By unanimous vote of all Board members present, the following officers were elected:**
**Chairman Michael Last**
**Vice-Chairman Brendan O'Neill**
**Secretary Patricia Karl**

COMMISSIONER'S REPORT
Commissioner Webber reported on how the capital needs of Fall River HSP are being addressed such as repairs to the boardwalk and discussed efforts to restore community boating to the area. •Peter informed the Board that DEM staffing and spending plans for the current fiscal year would be completed next week. Peter added that over $2 mil of earmarks in the operating budget still need to be worked through. • Peter reported that Secretary Durand has mentioned the goal of developing an Open Space Bond that would be filed with the next Legislative session.

PUBLIC COMMENT
Jackie Davison commented on lifeguard shortages and asked if lifeguard wages will be raised. Peter replied that the goal is to have new salaries in place by spring.

BOARD CONCERNS
Elisa expressed concern for continued efforts with Friends and Advisory committees. Peter responded that a key part to the Gold Medal Award initiative is to broaden and empower citizen groups.
Tad inquired about a land acquisition at Halibut SP as mentioned in the August DEM Lands Committee Minutes. Peter stated that he believes that the acquisition is still being negotiated.
Tad asked if there has been any progress towards new Board appointments and Peter replied that while he has had many conversations, it is still early in the process.
Patricia asked if strategic planning included a new organization chart. Todd replied that he will provide a new chart with job sharing/vacant positions.

Peter announced that Marcy Marchello of the DEM Universal Access Program has been awarded the Manuel Carballo Governor's Award.

Jay McCaffrey commented that DEM currently has a "representative" Board and he asked if it is possible to re-appoint Board members to full terms. Peter responded that his role as Commissioner is advisory to make recommendations to the Governor. Peter noted that two of the three Board members with expired terms have stated that they do not wish to be re-appointed.

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Having concluded all business the meeting adjourned at 3:10PM. The next meeting of the Board of Environmental Management has been scheduled for Thursday, October 19, 2000 at the Purgatory Chasm SR in Sutton, MA.

**BOARD OF ENVIRONMENTAL MANAGEMENT**
**November 28, 2000**
**Walden Pond State Reservation**
**Concord, MA**

## MEETING MINUTES

A meeting of the Board of Environmental Management was held on Tuesday, November 28, 2000 at the Walden Pond State Reservation in Concord, MA.
Those in attendance were Chairman Michael Last, Brendan O'Neill, Patricia Karl, Tad Ames and Deborah Cary. Absent were Elisa Campbell and Ron Smith. Present from DEM were Commissioner Peter Webber, Director of Forests and Parks Todd Frederick, Chief of Legal Services Mary Griffin, Deputy Commissioner of Resource Conservation Susan Frechette and Counsel Marcos Pittore. Others present included Mark Bettencourt, Heidi Roddis, Jessica Barber, Donna Brownell, James McCaffrey, Gordon Brownell, Helga Stottmeier, Thomas Delat, Brian Reid, Johanna Voss, Marilyn Lund, Jackie Davison and Brian McDonald.
The meeting was called to order at 11:00AM by Chairman Michael Last.
The October Meeting Minutes were unanimously approved by Board members present.

COMMISSIONER'S REPORT
Commissioner Webber informed Board members of the upcoming annual EOEA Budget Hearing scheduled for Tuesday, December 5, 2000. •Peter reported that a nomination for Tom Sullivan of Princeton to fill Deb Cary's seat on the Board has been submitted to the Governor's Appointments Office. Peter added that he has received four recommendations to fill the "seventh member" seat from three environmental organizations: Elisa Campbell, Leslie Reed-Evans, Whitney Hatch and Shepley Evans. Jay McCaffrey stated that the Sierra Club has mailed a letter to the Commissioner nominating Elisa Campbell, Leslie Reed-Evans and Shepley Evans. Peter reported that he will submit three of the names to the Governor for consideration by the end of the week. According to Peter, focus for filling the third opening is currently on Hampshire or Hampden County. •Peter reported that the Massachusetts Wildfire Crew was recognized at a recent State House event. •Peter informed the Board that the key proposed changes to increase day-use fees include: ocean beaches from $2 to $7; Walden to $5; and season passes to $35 for residents and $50 for non-residents. Peter added that smaller facilities would remain at the current $2 day-use fee; however, there would be an increase in rentals for pavilions, group picnic areas and bus fees. Peter explained that coin operated showers are being proposed for camping areas. Marilyn Lund commented that it may be futile to increase fees if there's not enough staff to collect them, as was the case at Walden this year. Peter acknowledged that many positions remained unfilled due to the low pay scale and the limited available staff were kept busy with crowd control/public safety. Peter added that as a result, fees could not be collected. Peter discussed DEM's approach to apply different job titles with a higher pay scale to attract applicants as well as the need to secure corresponding funding. Mike stated that he would draft a letter from the Board in support of an adequate budget. Mike added that it would be very helpful to know what the most important budget issues are so that he could highlight them in the letter. Peter replied that an extraordinary number of underfunded earmarks are an important issue. Debbie commented that a summary of each region's specific gaps are would be helpful. Michael asked when DEM's proposed budget is due to be submitted to the Secretary and Peter replied that it's an ongoing process. Mike stressed the importance of documenting DEM's needs as well as highlighting how what many of DEM's facilities have to offer match the clear priorities of EOEA with regards to issues of education of youth, preservation of species and anti-sprawl. •Tad expressed concern for the financial end of the Greylock Glen Land Disposition Agreement and Master Lease. Tad also expressed concern for the date of signing the lease, December 30, being two days after public comment period closes on December 28. Peter replied that he does not plan to sign the lease two days after public comment period closes as there needs to be time for review of comments received. Peter responded that DEM's obligations relative to the project are pursuant to a directive by the legislature to work in partnership with the Division of Capital Asset Management. Peter acknowledged that there is a funding gap of approximately $12 million dollars but it would be unreasonable to presume that there would be a diversion of DEM funds. Mike questioned DEM's legal obligation to fund a shortfall once the $8.5 million dollars allocated are gone. Peter responded that he would not sign a contract that would financially obligate the agency. Debbie commented that it would be advisable for the Board to ask for reassurances from the Governor that as this project moves forward, it will not impact DEM's programs and operations. Mike requested an update at the January meeting. Mike Last made a motion for the Board to approve drafting a letter to the Governor. Deb Cary seconded. Tad Ames abstained.

**By a majority vote of members present, the Board approved drafting a letter to the Governor reiterating current budget concerns as well expressing the Board's view that the Greylock Center Project should be affirmed as a statewide project which will not have any impact on DEM's capital and operating budgets.**

FOREST & PARKS REPORT
Director Frederick reported that as a result of recent wildfires in the western part of the country, Congress has made available $10 million federal dollars for mitigation and education of public lands in the northeast states. According to Todd, DEM submitted two grant applications for Myles Standish SF and Mannuel Correllus SF for which $413 thousand dollars has been awarded to implement fire management plans. • Todd informed the Board that a meeting of state park directors is scheduled for January to review and discuss campground reservation systems including new systems available. Peter added that DEM was directed by the Legislature to prepare a report on the campground reservation system and that report was

turned in yesterday. Peter added that copies will be mailed to Board members. • Todd stated that Region 5 Director Doug Poland is retiring as of January 6, 2001.

LAND ACQUISITIONS

Counsel Marcos Pittore handed out and discussed a proposed vote and a map regarding a friendly taking by eminent domain of a parcel in the Town of Adams. Tad Ames moved to approve the following vote. Patricia Karl seconded.

**To approve the taking by eminent domain by the Department of Environmental Management, pursuant to the provisions of General Laws Chapter 79, and General Laws Chapter 132A Section 3 of approximately one mile of rail road bed in the Town of Adams, for the purpose of completing the Ashuwillticook Rail Trail.**

All in favor. None opposed.

PUBLIC COMMENT

Heidi Roddis presented copies of Mass Audubon's comments on the *Draft Trails and Resource Management Plan (RMP) for Myles Standish State Forest (MSSF).* Heidi commented that there are numerous data gaps in the MSSF Plan and the Wachusett Mountain Resource Management and Protection Plan. Heidi expressed concern for the similar pattern of both projects moving forward without the necessary data. Heidi stressed the importance of planning and input from the public. According to Heidi, a grove of trees, including three white pines that were over 144 feet tall, were recently cut down at Mohawk Trail SF to build a septic system without DEM staff consulting with the Friends of Mohawk Trail. Heidi concluded that the excellent resources of the public should be included in the strategic planning process.

Helga Stottmeier handed out and discussed pictures and documentation of her husband's observations of ORV trail damage to Freetown SF. Mary Griffin stated that DEM is in beginning the process of developing a Resource Management Plan for Freetown SF. Helga expressed concern for understaffing and the potential damage to trails by ORVs at MSSF. Peter reported that while the RMP is still in draft stage, the preliminary report relates directly to staffing and maintenance coupled with a budget to manage it. Tad commented that enforcement is needed for patrols of trails that are off limits to ORVs.

Brian Reid handed out and discussed The Wildlands Trust's comments on the *Draft Trails and RMP for MSSF.* Brian expressed concern for lack of public notification and subsequently the lack of public input in the process. Brian concluded that the expansion of trails at MSSF should go through the MEPA process.

Tom Delat commented that the biggest problem is the illegal riders who just don't care. Tom passed around recent pictures of damage done by illegal trail use at MSSF.

Mark Bettencourt commented that missing trailmarkers cause confusion regarding designated trails resulting in illegal trail use. Mark added that over 1200 hours of work was performed at Freetown SF by the Pilgrim Sands Club over the last three years. Mark noted that ORV riders are the only user group that must sign a Memorandum of Agreement (MOA).

Donna Brownell suggested that the next Board meeting be held at Wachusett Mountain Visitor Center to observe the sprawl of the base area. According to Donna, there are suites on the second floor of the baselodge that are currently selling for $50,000 per 125-day period. Donna noted that WMA requested expansion of the baselodge to accommodate increased capacity. Donna question the possibility of the Wachusett Ecologist hiring an expert to inventory the additional acreage of old growth that has yet to be verified by DEM.

BOARD CONCERNS

Mike commented that as the Board thinks strategically, there is a need to keep its focus on key issues and follow through year after year. Mike reiterated that the knowledge of outgoing Board members on key issues is important to the strategic process. Peter recommended a retreat meeting, facilitated by Brian McDonald, to include outgoing and incoming Board members. Tad stressed the importance of the Board to remain a functioning part of the agency by maintaining monthly meetings and by providing a public forum on a regular basis.

STRATEGIC PLANNING

Todd discussed the need for a department-wide strategic plan. According to Todd, a core-planning group consisting of a broad, cross-reference of staff meet on a regular basis to determine strengths, weaknesses and opportunities. Todd added that now is the time to include all full time staff, the Board, Friends Groups and the Secretary's Office as well as key legislators. Brian McDonald stated that the intent is to develop a clear set of strategic goals with a consensus as to how the goals will be reached. Michael stressed the need to create systematic feedback to measure success. Peter agreed that benchmarks and milestones must be built into the plan. Brian questioned what approach the Board would like to take to develop their role in the strategic planning process. Brendan suggested dedicating time early on the agenda of an upcoming meeting when there is a greater possibility for a high energy, full Board. Peter suggested that one role for the Board to consider is interfacing with the public. Brian concluded that a longer time frame set aside at the January Board meeting to get input from the Board will lead to the discussion on what role the Board will play in the process. Board members agreed to a tentative date of the January 27th, 9AM to 1PM. Board members agreed to fill out a SWAT (Strengths, Weaknesses, Opportunities, Threats) Analysis to discuss at the meeting. Todd handed out *Some-Not All Parks and Recreation Challenges For The Next 100 Years.* Heidi asked how the advocacy outreach will be defined. Brian responded that advocacy outreach is being determined at the core-planning group meetings. Heidi suggested inviting public comment through a notice in the Environmental Monitor.

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Having concluded all business the meeting adjourned at 2:00PM. The next meeting of the Board of Environmental Management has been scheduled for 11:00AM, Tuesday, December 19, 2000.